

ATTORNEY DOCKET NO.: CUSTOMER NUMBER:

T00462-0003-WO-US

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## IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re patent application of:

## **GUTHRIE and KUROWSKA**

Serial No.: 10/697,563

Group Art Unit:

**NOT YET SPECIFIED** 

Filed:

October 31, 2003

Examiner:

**NOT YET SPECIFIED** 

Title:

POLYMETHOXYLATED FLAVONES FOR TREATING INSULIN

RESISTANCE

Mail Stop DD Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

## INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty to disclose under 37 CFR §1.56, Applicant submits herewith a Form PTO/SB/08A listing references of which the Applicant is aware and which are brought to the attention of the Examiner. In accordance with 37 CFR §1.98(a)(2), a copy of each document listed in the enclosed Form PTO/SB/08A is submitted herewith excluding U.S. patent references.

U.S. patent references are not enclosed pursuant to the Office's waiver (published in the Official Gazette - August 5, 2003) of such requirement for all U.S. national patent applications and for all international applications that have entered the national stage under 35 USC 371 filed after June 30, 2003.

Pursuant to 35 USC §120, this application relies on the earlier filing date(s) of the following prior application(s):

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 Serial Number
 Filing Date

 PCT/CA02/00662
 May 2, 2002

 60/287,703
 May 2, 2001

The filing of this IDS shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material for patentability, or that no other material information exists. This filing shall not be construed as an admission against interest in any matter.

This IDS is submitted pursuant to 37 CFR §1.97(b) and, accordingly, no fee is believed to be due for consideration of the documents submitted herewith.

Applicant respectfully requests consideration of the items listed and requests the Examiner to return a copy of the attached Form PTO/SB/08A after being marked as being considered by the Examiner.

Respectfully submitted,

Date: APRIL 29, 2004.

Santosh K. Chari Registration No. 41,477 Agent for Applicant

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number 10/697,563

Filing Date October 31, 2003

First Named Inventor GUTHRIE

Art Unit NOT YET SPECIFIED

Examiner Name NOT YET SPECIFIED

Attorney Docket Number

	U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Document Number  Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear				
		US- 4,591,600	05-27-1986	Creuzet et al.					
		US- 5,855,892	01-05-1999	Potter et al.					
		US- 6,096,364	08-01-2000	Bok et al.					
		US- 6,239,114	05-29-2001	Guthrie et al.					
		US- 6,251,400	06-26-2001	Guthrie et al.					
		US- 20010055627A1	12-27-2001	Guthric et al.					
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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T <sup>8</sup>
		wo	0062774	A1	10-26-2000	Shanahan		
		wo	0170029	Al	09-27-2001	Guthrie et al.		
		wo	02055071	Al	07-18-2002	Guthrie et al.		
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08B (08-03)
Approved for use through 06/30/2006. OMB 0651-0031
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Substitut	te for form 1449B/P	OTO		Complete if Known			
				Application Number	10/697,563		
INFO	DRMATIO	N D	ISCLOSURE	Filing Date	October 31, 2003		
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Sheet	2	of	2	Attorney Docket Number	T00462-0003-WO-US		

	r	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	т
xaminer nitials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т
		ROBBINS, Effect of Flavonoids on Survival Time of Rats Fed Thombogenic or Atherogenic Regimens, Journal of Atherosclerosis Research, volume 7, 1967, pages 3-10, Elsevier Publishing Company, The Netherlands.	
		GUTHRIE et al, In Vitro Studies on Anti-Cancer and Cholesterol-Lowering Activities of Citrus Flavonoids and Ilinonoids", FASEB Journal, March 15, 2000, page A564: Abstract, vol. 14, Federation of American Societies for Experimental Biology, Bethesda, MD, USA.	
		KUROWSKA et al, Regulation of Lipoprotein Metabolism in HEPG2 Cells by Citrus Flavonoids", American Chemical Society, abstract, March 2000, vol. 219, The National Meeting, American Chemical Society, Washington, D.C., USA.	
		KUROWSKA et al, Hypolipidemic activities of tangeretin a flavonoid from tangerine in vitro and in vivo, Annual Meeting of the Federation of American Societies for Experimental Biology on Experimental Biology 2001, March 31-April 4, 2001, Abstract, Orlando, Florida, USA.	
		KUROWSKA et al., Tangeretin, a Citrus Flavonoid, reduces metabolic abnormalities associated with insulin resistance, FASEB Journal, March 20, 2002, page A648: Abstract, volume 16, Federation of American Societies for Experimental Biology, Bethesda, MD, USA.	
		MERCK RESEARCH LABORATORIES, The Merck Manual of Diagnosis and Therapy, 1999, page 166 right-hand column, page 167 left-hand column line 4, Merck Research Laboratories, Whitehouse Station, N.J., USA.	
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Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.